

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

SUMMONS IN A CIVIL ACTION

LESLY MACIAS A/K/A NELSON RODRIGUEZ,

v.

THE CITY OF NEW YORK AND SEVERAL
UNIDENTIFIED POLICE OFFICERS,

CASE NUMBER:

07 Civ. 3080

JUDGE GRIESA

TO: THE CITY OF NEW YORK c/o MICHAEL A. CARDOZO, 100 CHURCH STREET,
NEW YORK, NEW YORK 10007

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court
and serve upon PLAINTIFF'S ATTORNEY:

TRACIE A. SUNDACK & ASSOCIATES, L.L.C.
19 COURT STREET, 3RD FLOOR
WHITE PLAINS, NEW YORK 10601
914-946-8100

an Answer to the complaint which is herewith served upon you, within 20 days after service of
this summons upon you, exclusive of day of service. If you fail to do so, judgment by default
will be taken against you for the relief demanded in the complaint. You must also file your
answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

APR 17 2007

DATE

BY DEPUTY CLERK

APR 18 PM 4:47
CITY OF NY, LAW DEPART.
OFFICE OF CORP. COUNSEL
COMMUNICATIONS SECTION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
LESLY MACIAS A/K/A NELSON RODRIGUEZ,

Plaintiff,

-against-

THE CITY OF NEW YORK AND SEVERAL
UNIDENTIFIED POLICE OFFICERS,

Defendants.

-----X

**COMPLAINT
APR 17 2007
USDC WP SDNY
AND JURY DEMAND**

07 CIV. 3080

JUDGE GRIESA

Plaintiff LESLY MACIAS A/K/A NELSON RODRIGUEZ by his attorneys, TRACIE A. SUNDACK & ASSOCIATES, L.L.C., complaining of the Defendants, THE CITY OF NEW YORK AND SEVERAL UNIDENTIFIED POLICE OFFICERS, respectfully alleges as follows:

PRELIMINARY STATEMENT

1. Plaintiff brings this action for compensatory damages, punitive damages and attorney's fees pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 1988 for violations of his civil rights, as said rights are secured by said statutes and the Constitutions of the State of New York and the United States. Plaintiff also asserts supplemental state law tort claims.

JURISDICTION

2. This action is brought pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 1988, and the First, Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution.

3. Jurisdiction is founded under 28 U.S.C. §§ 1331, 1343 and 1367.

VENUE

4. Venue is properly laid in the Southern District of New York under U.S.C. § 1391(b), in that this is the District in which the claim arose.

JURY DEMAND

5. Plaintiff respectfully demands a trial by jury of all issues in this matter pursuant to Fed. R. Civ. P. 38(b).

CITY OF NY, LAW DEPARTMENT
OFFICE OF CORP. COUNSEL
APR 17 2007 FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK